



So Ordered.

Signed this 24 day of May, 2013.

Margaret Cangilos-Ruiz
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re:

HEBERT, ALLEN JOSEPH, Case No. 09-32129
HEBERT, CAROLINE YVETTE, Chapter 13

Debtors.

**Order Granting Debtors' motion for
Post-Confirmation Modification of Chapter 13 Plan**

The debtors, ALLEN JOSEPH HEBERT and CAROLINE YVETTE HEBERT, by their attorneys, Holmberg, Galbraith & Miller, LLP, filed a notice of motion and affirmation seeking an Order granting them permission to modify their Chapter 13 Plan, post-confirmation, on March 20, 2013 (the "Motion"). The Motion was returnable before this Court on April 23, 2013 and was noticed to all creditors listed on the mailing matrix, as well as the Chapter 13 and United States Trustees. The Trustee filed opposition to the motion on April 16, 2013. The motion was adjourned to May 14, 2013 for a hearing. Luke Z. Fenchel, Esq. appeared on behalf of the debtors in support of the motion, and Lynn Harper Wilson, Esq. appeared on behalf of the Chapter 13 Trustee. There was no

appearance by or on behalf of any creditors. Upon due deliberation and upon all prior papers and proceedings had herein, it is hereby

ORDERED AND ADJUDGED, that the Debtors' motion to modify their Chapter 13 Plan to 44 months, as set forth in the proposed Amended Chapter 13 Plan, dated March 18, 2013, which was submitted with the debtors' motion papers and noticed to all creditors, is hereby granted; and it is further

ORDERED AND ADJUDGED, that the Debtors will continue to submit their income tax returns for the Trustee's review until such time as a Discharge Order is entered; and it is further

ORDERED AND ADJUDGED, that the Debtors will not be entitled to a Discharge Order until the time-frame of the original Chapter 13 Plan has expired, on or after July 27, 2014.

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